

Introduced by Senator Hancock

February 27, 2009

An act to amend Section 84810.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 574, as introduced, Hancock. Community colleges: inmate education programs: computation of apportionments.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges.

Existing law provides that, notwithstanding open course provisions in statute or regulations of the board of governors, the governing board of a community college district that provides classes for inmates of certain facilities, including a federal correctional facility, may include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

This bill would instead require the open course provisions in statute or regulations of the board of governors to be waived for any governing board of a community college district that provides those classes for inmates, including inmates of state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

Existing law provides for the method of computing apportionments for purposes of these inmate education programs.

This bill would make revisions to that method of computation.

The bill would prohibit a community college district from claiming, under the bill, for purposes of apportionments, any class for which a

district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals, and any class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement, as prescribed.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84810.5 of the Education Code is
2 amended to read:
3 84810.5. (a) ~~Notwithstanding open~~ (1) *Open* course provisions
4 in statute or regulations of the board of governors, ~~the shall be~~
5 *waived for any governing board of a community college district*
6 *that provides classes for inmates of any city, county, or city and*
7 *county jail, road camp, farm for adults, or state or federal*
8 *correctional facility. This section does not authorize the waiver of*
9 *open course provisions in any context or situation other than those*
10 *that are specifically authorized by this section. Subject to*
11 *limitations set forth in subdivision (b), the board of governors may*
12 *include the units of full-time equivalent-student students (FTES)*
13 *generated in those classes for purposes of state-apportionment*
14 *apportionments. The*
15 (2) *The attendance hours generated by credit or noncredit shall*
16 *be added and counted for apportionment purposes as noncredit*
17 *attendance hours courses shall be funded at the marginal credit*
18 *rate determined pursuant to paragraph (2) of subdivision (d) of*
19 *Section 84750.5. The attendance hours generated by noncredit*
20 *courses shall be funded at the noncredit rate.*
21 (b) ~~Notwithstanding any other provision of law, no funds for~~
22 ~~inmate education programs provided pursuant to this section shall~~
23 ~~be considered as part of the base revenues for community college~~
24 ~~districts in computing apportionments as prescribed in regulations~~
25 ~~of the board of governors. When computing apportionments for~~
26 ~~districts that provided inmate education programs in the 1994-95~~
27 ~~fiscal year, the student workload measures generated and revenues~~

1 received for that year shall be added to their noncredit base revenue
2 and noncredit base workload measures for the following year.

3 (b) (1) A community college district shall not claim, for
4 purposes of state apportionments under this section, any class to
5 which either of the following applies:

6 (A) The district receives full compensation for its direct
7 education costs for the conduct of the class from any public or
8 private agency, individual, or group of individuals.

9 (B) The district has a contract or instructional agreement, or
10 both, for the conduct of the class with a public or private agency,
11 individual, or group of individuals that has received from another
12 source full compensation for the costs the district incurs under
13 that contract or instructional agreement.

14 (2) In reporting a claim for apportionment to the Chancellor
15 of the California Community Colleges under this section, the
16 district shall report any partial compensation it receives from the
17 sources described in subparagraphs (A) and (B) of paragraph (1)
18 during the period for which the claim is made. The chancellor
19 shall subtract the amount of any partial compensation received
20 from the total apportionment to be paid.

21 (c) This section does not provide a source of funds to shift,
22 supplant, or reduce the costs incurred by the Department of
23 Corrections and Rehabilitations in providing inmate education
24 programs.